

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

ALLIANCE FOR HIPPOCRATIC MEDICINE, on
behalf of itself, its member organizations, their
members, and these members' patients;
AMERICAN ASSOCIATION OF PRO-LIFE
OBSTETRICIANS AND GYNECOLOGISTS, on
behalf of itself, its members, and their patients;
AMERICAN COLLEGE OF PEDIATRICIANS,
on behalf of itself, its members, and their
patients; CHRISTIAN MEDICAL & DENTAL
ASSOCIATIONS, on behalf of itself, its members,
and their patients; SHAUN JESTER, D.O., on
behalf of himself and his patients; REGINA
FROST-CLARK, M.D., on behalf of herself and
her patients; TYLER JOHNSON, D.O., on behalf
of himself and his patients; and GEORGE
DELGADO, M.D., on behalf of himself and his
patients,

Plaintiffs,

v.

U.S. FOOD AND DRUG ADMINISTRATION;
ROBERT M. CALIFF, M.D., in his official
capacity as Commissioner of Food and Drugs,
U.S. Food and Drug Administration; JANET
WOODCOCK, M.D., in her official capacity as
Principal Deputy Commissioner, U.S. Food and
Drug Administration; PATRIZIA CAVAZZONI,
M.D., in her official capacity as Director, Center
for Drug Evaluation and Research, U.S. Food and
Drug Administration; U.S. DEPARTMENT OF
HEALTH AND HUMAN SERVICES; and
XAVIER BECERRA, in his official capacity as
Secretary, U.S. Department of Health and
Human Services,

Defendants.

Case No. 2:22-cv -00223-Z

**HUMAN COALITION'S MOTION FOR LEAVE TO FILE A BRIEF AS
AMICUS CURIAE IN SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

Pursuant to Federal Rule of Civil Procedure 7 and Local Rule 7.2(b), Human Coalition respectfully requests leave to file the attached amicus curiae brief in support of Plaintiffs' Motion for Preliminary Injunction (Dkt. #6). Pursuant to Local Rule 7.2(b), the attached brief sets forth the interest of amicus Human Coalition in the outcome of this litigation.

In accordance with Local Rule 7.1(a), proposed amicus states that counsel for Plaintiffs and Defendants do not oppose the filing of this motion and accompanying brief. Furthermore, Plaintiffs and Defendants stipulated in their Joint Motion to Extend Deadlines to not to oppose the filing of amicus briefs filed on or before February 10, 2023. Dkt. #12.

In support of this motion, Human Coalition states as follows:

1. Proposed amicus Human Coalition is a nonprofit organization committed to rescuing children, serving families, and making abortion unthinkable and unnecessary by offering pregnant women and girls life-affirming counsel and tangible, needed services. Human Coalition does this by operating its own specialized women's care clinics and virtual clinics in major cities across the country.

2. Human Coalition has a strong interest in protecting women, girls, and their unborn children from the dangers of medication abortion. The staff and volunteers at Human Coalition's clinics have seen firsthand the harm that medication abortion causes mothers. Human Coalition thus has a substantial interest

in the outcome of this litigation, which seeks to invalidate the FDA's approval of the dangerous medication abortion regimen.

3. There is no Federal Rule of Civil Procedure controlling motions for leave to appear as amicus curiae in federal district courts. This Court “has discretion to consider amicus briefing where the proffered information is timely and useful or otherwise necessary to the administration of justice.” *United States ex rel. Long v. GSD & M Idea City LLC*, 2014 WL 11321670, at *4 (N.D. Tex. Aug. 8, 2014) (cleaned up); *see also Ryan v. Cmty. Futures Trading Comm'n*, 125 F.3d 1062, 1063 (7th Cir.1997) (noting that amicus briefs should allowed “when the amicus has unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide.”). The proposed brief provides valuable perspectives on the effect of medication abortion on the physical and mental wellbeing of women and girls.

4. Consistent with Federal Rule of Appellate Procedure 29(a)(4)(E), counsel for amicus curiae states that no counsel for any party authored this brief in whole or in part, and no person or entity, other than amicus and its counsel, made a monetary contribution intended to fund the preparation or submission of this brief.

For these reasons, proposed amicus curiae Human Coalition asks this Court to grant its motion for leave to file the attached amicus curiae brief.

Respectfully submitted,

/s/ Elissa M. Graves

Elissa M. Graves

Texas Bar No. 24090135

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*Attorney for proposed amicus curiae
Human Coalition*

CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2023, this document was electronically filed and served via the Court's CM/ECF system.

/s/ Elissa M. Graves